

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

SHERRI MCCAIN,	:	Case No. 3:17-cv-402
	:	
Plaintiff,	:	District Judge Thomas M. Rose
	:	Magistrate Judge Sharon L. Ovington
vs.	:	
	:	
COMMISSIONER OF THE SOCIAL	:	
SECURITY ADMINISTRATION,	:	
	:	
Defendant.	:	

DECISION AND ENTRY

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #12), to whom this case was originally referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, this Court hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendations filed on April 2, 2019 (Doc. #12) is **ADOPTED** in full;
2. The Commissioner's non-disability finding is vacated;
3. No finding is made as to whether Plaintiff Sherri McCain was under a "disability" within the meaning of the Social Security Act;
4. This matter is **REMANDED** to the Social Security Administration under sentence four of 42 U.S.C. § 405(g) for further consideration consistent with the Report and Recommendations and this Decision and Entry; and

5. The case is terminated on the docket of this Court.

IT IS SO ORDERED.

Date: April 17, 2019

**s/Thomas M. Rose*
Thomas M. Rose
United States District Judge